IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 12950 of 2004

Between:

M. Narayana, S/o. M. Ramaiah,
A.P. Social Welfare Residential School for Boys, Ibrahimpatnam,
Ranga Reddy District.

..... PETITIONER

AND

1. The Government of Andhra Pradesh, Rep. by its Secretary,
   Social Welfare Department, Secretariat, Hyderabad.

2. The A.P. Social Welfare Residential, Institution Society

(Regs.No.2453/1986),
Rep. by its Secretary, 58/RT, Potti Sri Ramulu Nagar,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or issue a Writ, more particularly one in the nature of Writ of *Mandamus*, declaring that the action of the respondents in not regularizing the services of the petitioner as illegal and consequential to direct the respondents to regularize the service of the petitioner, with all consequential benefits.

For the Petitioner: MR.B.G.RAVINDER REDDY, ADVOCATE

For the Respondent No.1: GP FOR SOCIAL WELFARE

For the Respondent No.2: None appeared

The Court at the state of admission made the following:

-

-

-

-

-

THE HON'BLE Dr. G. YETHIRAJULU

-

WRIT PETITION No.12950 OF 2004

O R D E R:

-

The petitioner is working as Helper in the 2nd respondent-society, since 09.06.1992. After working for about three years, he filed W.P.No.18200 of 1995, seeking a direction to the respondents, to regularize his services as Class-IV employee in the 2nd respondent-society. The said writ petition was disposed of by an order of this court dated 27.03.1996, which reads as under:

> *"The respondents are directed to consider the case of the petitioner as per G.O.Ms.No.212, Finance and Planning, dated 22.4.1994 within six months from the date of receipt of a copy of this order. The petitioners shall be continued till such final orders are passed. For the purpose of reckoning the period of their working continuously, artificial breaks and transfers from one school to another, if any shall be ignored and work rendered by them pursuant to interim directions of this Court shall also be taken into account."*

The petitioner further submits that he has more than 12 years of continuous service as a helper. Despite that, his services were not regularized till now. He further submits that one Mr. D. Narotham and S. Pandu, who were transferred to the 2nd respondent society with effect from 13.09.1994, were regularized ignoring his requests for regularization. The petitioner contends that those two persons are juniors to him and as there are clear vacancies in the respondent-society, a direction

shall be given to the 2nd respondent to regularize his services in the existing vacancies. The further contention of the petitioner is that the revised pay scales were not applied to him.

In the light of the submissions made by the petitioner, the 2nd respondent is directed to consider the request of the petitioner for regularization and his application for revised pay scales and pass appropriate orders as per rules within two months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of at the stage of admission. No costs.

_____

09.08.2004.

*Ksn/Dsr

Note:

Issue C.C. in one week.

B/o

Ksn.

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary, Social Welfare Department,

The Government of Andhra Pradesh,

Secretariat, Hyderabad.

2. The Secretary, A.P. Social Welfare Residential, Institution Society

(Regs.No.2453/1986), 58/RT,

Potti Sri Ramulu Nagar, Hyderabad.

3. Two CCs to G.P. for Social Welfare, High Court Buildings,

Hyderabad (OUT)

4. Two C.D Copies.